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PATENT APPLICATION
EXAMINING GROUP 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App: MYERS et al. Date: May 5, 2006
S.N.: 09/491,098 Docket No.: STL 9029.00
Filed: January 25, 2000 Examiner: LETSCHER, G.
For: SOLDER CONTROL FEATURES Art Unit: 2653
FOR A DISC DRIVE HEAD FLEX
CIRCUIT INTERCONNECT

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions to withdraw the holding of abandonment in this case, on the basis that the Notice of Allowance forming the basis of the abandonment was not received. Applicant further requests that the Notice of Allowance and Issue Fee Due be remailed.

FACTS

On June 28, 2005 applicant paid the Issue Fee and Publication Fee in the amount of one thousand seven hundred dollars (\$1,700). On August 8, 2005 the applicant received a Notice Of Withdrawal From Issue Under 37 C.F.R. 1.313(b). On October 17, 2005 Examiner George J. Letscher spoke with applicant's attorney Paul T. Dietz and the examiner agreed to cancel, by Examiner's Amendment, claims 16-18. According to the U.S. Patent Office PAIR website, the Second Notice of Allowance was mailed on November 17, 2005. On April 17, 2006 applicant received a Notice Of Abandonment due to non-payment of the required issue fee and publication fee. Attached hereto is a Declaration of Paul T. Dietz stating that the Office Communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office Communication was not received.

1

PAGE 2/10 * RCVD AT 5/5/2006 4:55:55 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/13 * DNIS:2738300 * CSID:952 402 8187 * DURATION (mm:ss):03:00

Adjustment date: 04/15/2008 CKHLOK
05/08/2006 TL0111 00000009 500372 09491098
.01 FC:1464 130.00 CR

SI FC:144 05/08/2006 TL0111 130.00 CR 09491098 500372 00000009 04/15/2008 CKHLOK

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Also attached, as Exhibit A is a copy of the docket record where the Notice of Allowance would have been entered had it been received and docketed. A Declaration of Kay Baierl is attached, which attests to the authenticity of the attached Exhibit A.

A copy of the Notice of Abandonment is enclosed as Exhibit B.

CONCLUSION

It is believed that the foregoing facts, declarations and Exhibits are sufficient to establish the non-receipt of the Notice of Allowance. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn and that the Notice of Allowance and Issue Fee Due be remailed.

Please debit our Deposit Account No. 50-0372 for the petition fee under 37 C.F.R. § 1.17(h) in the amount of \$130.00.

Please charge any additional fees or credit overpayment to the Seagate Technology LLC Deposit Account No. 50-0372.

By: _____
Paul T. Dietz
Reg. No. 38,858
Intellectual Property Department - NRW097
Seagate Technology LLC
7801 Computer Avenue South
Bloomington, MN 55435
Telephone: 952.402.8585
Attorney for Applicants

CERTIFICATION UNDER 37 C.F.R. 1.8

Date of Deposit: May 5, 2006

I hereby certify that this paper is being transmitted via facsimile to the U.S. Patent and Trademark Office, Mail Stop Petition, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown above.

Kay Baierl
Kay Baierl

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>04/14/08</u>		2 Serial/Patent # <u>09/491,098</u>								
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED							
<input type="checkbox"/> Filing			\$							
<input type="checkbox"/> Amendment			\$							
<input type="checkbox"/> Extension of Time			\$							
<input type="checkbox"/> Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/> Petition		WFEE	05/05/06 \$ 130.00							
<input type="checkbox"/> Issue			\$							
<input type="checkbox"/> Cert of Correction/Terminal Disc.			\$							
<input type="checkbox"/> Maintenance			\$							
<input type="checkbox"/> Assignment			\$							
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		7 TOTAL AMOUNT OF REFUND	\$ 130.00							
		8 TO BE REFUNDED BY:								
		<input type="checkbox"/> Treasury Check								
<input type="checkbox"/> Overpayment		<input checked="" type="checkbox"/> Credit Deposit A/C #:								
<input type="checkbox"/> Duplicate Payment		9 <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td>5</td><td>0</td><td>--</td><td>0</td><td>3</td><td>7</td><td>2</td></tr></table>		5	0	--	0	3	7	2
5	0	--	0	3	7	2				
<input checked="" type="checkbox"/> No Fee Due (Explanation):										
11 REFUND REQUESTED BY:										
TYPED/PRINTED NAME: <u>Andrea M. Smith</u>		TITLE: <u>Petitions Examiner</u>								
SIGNATURE: <u>/Andrea M. Smith/</u>		PHONE: <u>2-3226</u>								
OFFICE: <u>Office of Petitions</u>										
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APPROVED: <u>CKhbk</u>		DATE: <u>4/15/08</u>								

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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